

SENATE BILL 794

By Burchett

AN ACT to amend Tennessee Code Annotated, Title 55,
relative to motor vehicle accidents.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 55, Chapter 50, Part 5, is amended by
adding a new section thereto, as follows:

Section 55-50-507.

(a) The department shall suspend the license of any operator whose violation of the right of way provisions of title 55, chapter 8, part 1, results in an accident resulting in bodily injury to or death of any person. Upon suspending a license pursuant to this section, the department shall require that such license be surrendered to and retained by the department. An operator's license shall remain suspended until such time as any charge or warrant for violating title 55, chapter 8, part 1, for failure to yield right of way is dismissed or the operator is acquitted at trial.

(b) The requirements of this section apply to any accident that occurs on a highway, street, road, parking lot, or any other premise that is open to and generally frequented by the public at large.

(c) For the purposes of this section, serious bodily injury means:

(1) Substantial risk of death;

(2) Serious disfigurement; or

(3) Protracted loss or impairment of the function of any bodily member, organ or mental facility.

(d)(1) A violation of subsection (a) is a Class B misdemeanor punishable by a fine of two hundred fifty dollars (\$250) if the accident results in serious bodily injury of another.

(2) A violation of subsection (a) is a Class A misdemeanor punishable by a fine of five hundred dollars (\$500) if the accident results in the death of another.

(e) Any sentence imposed for a violation of this section shall be served consecutive to any sentence imposed for the violation of any other provision of law arising from the same conduct that resulted in the accident.

(f) In addition to the punishment set out in subsection (d), the commissioner shall revoke the license or permit to drive and any nonresident operating privilege of a person convicted of a violation of this section for a period of not less than six (6) months if the accident results in serious bodily injury of another and one (1) year if the accident results in the death of another. The period of suspension shall be computed from the time such person's driver license was actually taken from such person's possession until the license is returned.

SECTION 2 . This act shall take effect July 1, 2007, the public welfare requiring it.